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7           UNITED STATES DISTRICT COURT  
8           WESTERN DISTRICT OF WASHINGTON  
9           AT SEATTLE

10 MICROSOFT CORPORATION,

11           Plaintiff,

12           v.

13 MOTOROLA, INC., et al.,

14           Defendants.

15           MOTOROLA MOBILITY, INC., et  
16           al.,

17           Plaintiffs,

18           v.

19           MICROSOFT CORPORATION,

20           Defendant.

CASE NO. C10-1823JLR

ORDER

21           This matter is before the court on Plaintiff Microsoft Corporation's ("Microsoft")  
22 motion for temporary restraining order and preliminary injunction ("Microsoft's

1 Motion”). (Mot. (Dkt. # 209).) The court heard the oral argument of counsel on April  
2 11, 2012, and has also considered all pleadings on file, including:

3 (1) Plaintiff Microsoft Corporation’s (“Microsoft”) motion for a temporary  
4 restraining order and preliminary injunction (Dkt. # 209), along with all exhibits and  
5 attachments;

6 (2) Defendants Motorola, Inc., Motorola Mobility, Inc., and General Instrument  
7 Corporation’s (collectively, “Motorola”) response in opposition (Dkt. # 248), along with  
8 all exhibits and attachments; and

9 (3) Microsoft’s reply (Dkt. # 257).

10 The court is authorized to issue this temporary restraining order by Rule 65(b).  
11 Fed. R. Civ. P. 65(b). Having stated its findings of fact and conclusions of law on the  
12 record at the April 11, 2012 hearing, and having found that the factors for an anti-suit  
13 injunction set forth in *E. & J. Gallo Winery v. Andina Licores S.A.*, 446 F.3d 984, 989  
14 (9th Cir. 2006) have been met, the court hereby GRANTS Plaintiffs’ motion for a  
15 temporary restraining order (Dkt. # 209). The court ORDERS that, without prior leave of  
16 this court, Motorola is enjoined from enforcing any injunctive relief it may receive in the  
17 German court system relating to the patents at issue in Microsoft’s Motion. The court  
18 further ORDERS that Microsoft shall post a security bond in the amount of \$100 million  
19 USD in connection with this motion.

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1 This temporary restraining order shall be binding as provided in Federal Rule of  
2 Civil Procedure 65(d) and shall remain in effect until the court's ruling on Docket No.  
3 236, for which a hearing is scheduled on May 7, 2012.<sup>1</sup>

4 Dated this 12th day of April, 2012.

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7 The Honorable James L. Robart  
U.S. District Court Judge

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20 Pursuant to Federal Rule of Civil Procedure 65(b)(2), the court finds good cause for  
extending this temporary restraining order beyond the fourteen day limit ordinarily imposed by  
Rule 65(b)(2) because the purpose of this anti-suit injunction is to provide this court the  
opportunity to adjudicate issues properly presented in this jurisdiction as opposed to permitting a  
foreign court to adjudicate those issues. The court intends to commence adjudication of the  
issues requiring this anti-suit injunction on May 7, 2012 or as soon as possible thereafter.